

AMENDED IN SENATE JULY 15, 2009

AMENDED IN ASSEMBLY MAY 6, 2009

AMENDED IN ASSEMBLY APRIL 23, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1120

Introduced by Assembly Member Niello

February 27, 2009

An act to add ~~and repeal~~ Section 17269 ~~of~~ *to* the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1120, as amended, Niello. School facilities: constructability reviews.

Existing law, the Field Act, requires the Department of General Services under the police power of the state to supervise the design and construction of a school building or the reconstruction or alteration of, or addition to, a school building, if not exempted under specified law, to ensure that plans and specifications comply with adopted rules and regulations and building standards published in regulations, and to ensure that the work of construction is performed in accordance with the approved plans and specifications for the protection of life and property.

This bill would require the department, ~~in consultation with school districts, construction managers, and other interested parties, to develop and implement a plan to incentives~~ *to distribute information on* the use of constructability reviews of plans and specifications used for the

construction of school facilities *and the potential for cost savings that may be realized by the use of a constructability review*. ~~The department would be required to submit a report, by June 30, 2013, to the education policy committees of the Legislature and the State Allocation Board, on the implementation of incentives adopted under the plan and the use of constructability reviews bill would state the intent of the Legislature that the department incorporate this information into existing venues and schedules of communication that the department has established with school districts as a result of its role in the review and approval of school construction plans. The bill would define “constructability review” as a cost control technique by which the project plans and specifications are reviewed to identify potential claim or problem areas and deficiencies in the plans and specifications that may occur as a result of errors, ambiguities, omissions, discrepancies, and conflicts in the plans and specifications. One or more professionals, including, but not limited to, mechanical, electrical, structural, or construction professionals would be authorized to conduct a constructability review. These provisions would be repealed on January 1, 2014.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares that there is
- 2 a benefit to performing a constructability review of plans and
- 3 specifications used for the construction of school facilities because
- 4 those reviews anticipate errors or omissions in the design
- 5 documents and, thus, reduce the number of change orders made
- 6 during the construction phase of school construction projects.
- 7 SEC. 2. Section 17269 is added to the Education Code, to read:
- 8 17269. (a) The Department of General Services, ~~in consultation~~
- 9 ~~with school districts, construction managers, and other interested~~
- 10 ~~parties, shall develop and implement a plan to incentivize the use~~
- 11 ~~of constructability reviews of plans and specifications used for the~~
- 12 ~~construction of school facilities. The incentive plan shall not~~
- 13 ~~conflict with the policy of the Department of General Services~~
- 14 ~~regarding submittal date priority or disadvantage projects that do~~
- 15 ~~not undergo a constructability review.~~
- 16 ~~(b) By June 30, 2013, the Department of General Services shall~~
- 17 ~~submit to the education policy committees of the Legislature and~~

1 ~~the State Allocation Board a report on the implementation of~~
2 ~~incentives adopted under the plan developed pursuant to~~
3 ~~subdivision (a) and the use of constructability reviews. shall~~
4 *distribute information on the use of constructability reviews of*
5 *plans and specifications used for the construction of school*
6 *facilities and the potential for cost savings that may be realized*
7 *by the use of a constructability review.*

8 *(b) It is the intent of the Legislature that the Department of*
9 *General Services incorporate the information required to be*
10 *distributed pursuant to subdivision (a) into existing venues and*
11 *schedules of communication that the department has established*
12 *with school districts as a result of its role in the review and*
13 *approval of school construction plans.*

14 (c) For purposes of this section, “constructability review” means
15 a cost control technique by which the project plans and
16 specifications are reviewed to identify potential claim or problem
17 areas and deficiencies in the plans and specifications that may
18 occur as a result of errors, ambiguities, omissions, discrepancies,
19 and conflicts in the plans and specifications. A constructability
20 review may be conducted by one or more professionals, including,
21 but not limited to, mechanical, electrical, structural, or construction
22 professionals.

23 ~~(d) This section shall remain in effect only until January 1, 2014,~~
24 ~~and as of that date is repealed, unless a later enacted statute, that~~
25 ~~is enacted before January 1, 2014, deletes or extends that date.~~